

08/28/01
jc772 U.S. PTO

08-30-01

A

SD-6261.1/S97639
August 28, 2001
Express Mail No.: EL026585565US

jc872 U.S. PTO
09/941820
08/28/01

ASSISTANT COMMISSIONER FOR PATENTS
BOX PATENT APPLICATION
WASHINGTON, D.C. 20231

UTILITY PATENT APPLICATION TRANSMITTAL
Under 37 CFR 1.53(b)

Transmitted herewith for filing is the patent application of

INVENTOR(S): James G. Fleming and Shawn-Yu Lin

FOR: METHOD TO FABRICATE LAYERED MATERIAL COMPOSITIONS

I. APPLICATION ELEMENTS

1. ☒ Fee Transmittal Form (original + duplicate)
2. ☒ Specification
Total Pages 30
3. ☒ Drawings
Total Sheets 9
4. ☒ Oath or Declaration (with Power of Attorney) Total Pages 2
 - a. ☐ Newly Executed
 - b. ☒ Copy from Prior Application
(Continuation or Divisional)
☐ Deletion of Inventors
Signed Statement Attached Deleting Inventor(s) named in
prior Application. 37 CFR 1.63(d)(2) and 1.33(b).
5. ☐ Incorporation by Reference (if Box 4b is checked). The entire
disclosure of the prior application(s) from which a copy of the
Oath or Declaration is supplied under Box 4b, is considered as
being part of the disclosure of the accompanying application and
is hereby incorporated by reference therein.
6. ☐ Microfiche Computer Program (Appendix)

II. ACCOMPANYING APPLICATION PARTS

7. ☐ Assignment Papers (cover sheet and document(s))
8. ☐ 37 CFR 3.73(b) Statement (where there is an assignee) ☒ Power of Attorney (with the Declaration)
9. ☒ Information Disclosure Statement (IDS)/PTO-1449 ☒ Copies of IDS Citations
10. ☒ Preliminary Amendment
11. ☒ Return Receipt Postcard (Itemized)
12. ☐ Other

III. IF A CONTINUING APPLICATION

☐ Continuation ☒ Divisional ☐ Continuation-in-Part (CIP)

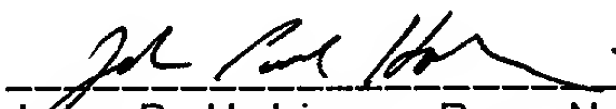
of prior application No. 09/296,702 filed on 4/21/99. Status: Now Allowed

IV. CORRESPONDENCE ADDRESS

Timothy D. Stanley
Sandia National Laboratories
P. O. Box 5800 - MS-0161
Albuquerque, New Mexico 87185-0161


Phone: (505) 845-8124
FAX: (505) 844-1218

Dated: August 27, 2001


John P. Hohimer, Reg. No. 39,226
Sandia National Laboratories
Patent & Licensing Center, 11500
P. O. Box 5800 / MS 0161
Albuquerque, NM 87185-0161
Telephone: (505) 844-5909

CERTIFICATION UNDER 37 CFR 1.10


I hereby certify that this New Application Transmittal and the documents referred to as enclosed therein are being deposited with the U. S. Postal Service on 8/28/01, in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number EL026585565US, addressed to the: Assistant Commissioner for Patents, Box Patent Application, Washington, D.C. 20231.


Mary Loukota

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

FEE TRANSMITTAL FOR FY 2001		Complete if Known	
		Application Number	
Patent fees are subject to annual revision. Small Entity payments <u>must</u> be supported by a small entity statement, Otherwise large entity fees must be paid See Forms PTO/SB/09-12.		Filing Date	August 28, 2001
		First Named Inventor	James G. Fleming et al
		Examiner Name	
Group / Art Unit			
TOTAL AMOUNT OF PAYMENT (\$)		Attorney Docket No.	6261.1/97639

METHOD OF PAYMENT (check one)		FEE CALCULATION (continued)																																																																																																																																																																																											
<p>The Commissioner is hereby authorized to charge</p> <p>1. <input checked="" type="checkbox"/> indicated fees and credit any over payments to:</p> <p>Deposit Account Number <u>19-0131</u></p> <p>Deposit Account Name <u>Sandia National Labs</u></p> <p><input type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17</p> <p>2. Payment Enclosed:</p> <p><input type="checkbox"/> Check <input type="checkbox"/> Money Order <input type="checkbox"/> Other</p>		<p>3. ADDITIONAL FEES</p> <table border="1"><thead><tr><th>Large Fee Code</th><th>Entity Fee (\$)</th><th>Small Fee Code</th><th>Entity Fee (\$)</th><th>Fee Description</th><th>Fee Paid</th></tr></thead><tbody><tr><td>105</td><td>130</td><td>205</td><td>65</td><td>Surcharge - late filing fee or oath</td><td></td></tr><tr><td>127</td><td>50</td><td>227</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr><tr><td>139</td><td>130</td><td>139</td><td>130</td><td>Non-English specification</td><td></td></tr><tr><td>147</td><td>2,520</td><td>147</td><td>2,520</td><td>For filing a request for reexamination</td><td></td></tr><tr><td>112</td><td>920*</td><td>112</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr><tr><td>113</td><td>1,840</td><td>11</td><td>1,840</td><td>Requesting publication of SIR after Examiner</td><td></td></tr><tr><td>115</td><td>110</td><td>215</td><td>55</td><td>Extension for reply within first month</td><td></td></tr><tr><td>116</td><td>390</td><td>216</td><td>195</td><td>Extension for reply within second month</td><td></td></tr><tr><td>117</td><td>890</td><td>217</td><td>445</td><td>Extension for reply within third month</td><td></td></tr><tr><td>118</td><td>1,390</td><td>218</td><td>695</td><td>Extension for reply within fourth month</td><td></td></tr><tr><td>128</td><td>1,890</td><td>228</td><td>945</td><td>Extension for reply within fifth month</td><td></td></tr><tr><td>119</td><td>310</td><td>219</td><td>155</td><td>Notice of Appeal</td><td></td></tr><tr><td>120</td><td>310</td><td>220</td><td>155</td><td>Filing a brief in support of an appeal</td><td></td></tr><tr><td>121</td><td>270</td><td>221</td><td>135</td><td>Request for oral hearing</td><td></td></tr><tr><td>138</td><td>1,510</td><td>138</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr><tr><td>140</td><td>110</td><td>240</td><td>55</td><td>Petition to revive - unavoidable</td><td></td></tr><tr><td>141</td><td>1,240</td><td>241</td><td>620</td><td>Petition to revive - unintentional</td><td></td></tr><tr><td>142</td><td>1,240</td><td>242</td><td>620</td><td>Utility issue fee (or reissue)</td><td></td></tr><tr><td>143</td><td>440</td><td>243</td><td>220</td><td>Design issue fee</td><td></td></tr><tr><td>144</td><td>600</td><td>244</td><td>300</td><td>Plant issue fee</td><td></td></tr><tr><td>122</td><td>130</td><td>122</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr><tr><td>123</td><td>50</td><td>123</td><td>50</td><td>Petitions related to provisional applications</td><td></td></tr><tr><td>126</td><td>240</td><td>126</td><td>240</td><td>Submission of Information Disclosure Stmt</td><td></td></tr><tr><td>581</td><td>40</td><td>581</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr><tr><td>146</td><td>710</td><td>246</td><td>355</td><td>Filing a submission after final refection (37 CFR 1.129(a))</td><td></td></tr><tr><td>149</td><td>710</td><td>249</td><td>355</td><td>For each additional invention to be examined (37 CFR 1.129(b))</td><td></td></tr><tr><td colspan="5">Other fee (specify) _____</td><td></td></tr><tr><td colspan="5">Other fee (specify) _____</td><td></td></tr><tr><td colspan="5">*Reduced by Basic Filing Fee Paid</td><td></td></tr><tr><td colspan="5">SUBTOTAL (3) (\$)</td><td></td></tr></tbody></table>		Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid	105	130	205	65	Surcharge - late filing fee or oath		127	50	227	25	Surcharge - late provisional filing fee or cover sheet		139	130	139	130	Non-English specification		147	2,520	147	2,520	For filing a request for reexamination		112	920*	112	920*	Requesting publication of SIR prior to Examiner action		113	1,840	11	1,840	Requesting publication of SIR after Examiner		115	110	215	55	Extension for reply within first month		116	390	216	195	Extension for reply within second month		117	890	217	445	Extension for reply within third month		118	1,390	218	695	Extension for reply within fourth month		128	1,890	228	945	Extension for reply within fifth month		119	310	219	155	Notice of Appeal		120	310	220	155	Filing a brief in support of an appeal		121	270	221	135	Request for oral hearing		138	1,510	138	1,510	Petition to institute a public use proceeding		140	110	240	55	Petition to revive - unavoidable		141	1,240	241	620	Petition to revive - unintentional		142	1,240	242	620	Utility issue fee (or reissue)		143	440	243	220	Design issue fee		144	600	244	300	Plant issue fee		122	130	122	130	Petitions to the Commissioner		123	50	123	50	Petitions related to provisional applications		126	240	126	240	Submission of Information Disclosure Stmt		581	40	581	40	Recording each patent assignment per property (times number of properties)		146	710	246	355	Filing a submission after final refection (37 CFR 1.129(a))		149	710	249	355	For each additional invention to be examined (37 CFR 1.129(b))		Other fee (specify) _____						Other fee (specify) _____						*Reduced by Basic Filing Fee Paid						SUBTOTAL (3) (\$)					
Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid																																																																																																																																																																																								
105	130	205	65	Surcharge - late filing fee or oath																																																																																																																																																																																									
127	50	227	25	Surcharge - late provisional filing fee or cover sheet																																																																																																																																																																																									
139	130	139	130	Non-English specification																																																																																																																																																																																									
147	2,520	147	2,520	For filing a request for reexamination																																																																																																																																																																																									
112	920*	112	920*	Requesting publication of SIR prior to Examiner action																																																																																																																																																																																									
113	1,840	11	1,840	Requesting publication of SIR after Examiner																																																																																																																																																																																									
115	110	215	55	Extension for reply within first month																																																																																																																																																																																									
116	390	216	195	Extension for reply within second month																																																																																																																																																																																									
117	890	217	445	Extension for reply within third month																																																																																																																																																																																									
118	1,390	218	695	Extension for reply within fourth month																																																																																																																																																																																									
128	1,890	228	945	Extension for reply within fifth month																																																																																																																																																																																									
119	310	219	155	Notice of Appeal																																																																																																																																																																																									
120	310	220	155	Filing a brief in support of an appeal																																																																																																																																																																																									
121	270	221	135	Request for oral hearing																																																																																																																																																																																									
138	1,510	138	1,510	Petition to institute a public use proceeding																																																																																																																																																																																									
140	110	240	55	Petition to revive - unavoidable																																																																																																																																																																																									
141	1,240	241	620	Petition to revive - unintentional																																																																																																																																																																																									
142	1,240	242	620	Utility issue fee (or reissue)																																																																																																																																																																																									
143	440	243	220	Design issue fee																																																																																																																																																																																									
144	600	244	300	Plant issue fee																																																																																																																																																																																									
122	130	122	130	Petitions to the Commissioner																																																																																																																																																																																									
123	50	123	50	Petitions related to provisional applications																																																																																																																																																																																									
126	240	126	240	Submission of Information Disclosure Stmt																																																																																																																																																																																									
581	40	581	40	Recording each patent assignment per property (times number of properties)																																																																																																																																																																																									
146	710	246	355	Filing a submission after final refection (37 CFR 1.129(a))																																																																																																																																																																																									
149	710	249	355	For each additional invention to be examined (37 CFR 1.129(b))																																																																																																																																																																																									
Other fee (specify) _____																																																																																																																																																																																													
Other fee (specify) _____																																																																																																																																																																																													
*Reduced by Basic Filing Fee Paid																																																																																																																																																																																													
SUBTOTAL (3) (\$)																																																																																																																																																																																													
<p>1. BASIC FILING FEE</p> <table border="1"><thead><tr><th>Large Fee Code</th><th>Entity Fee (\$)</th><th>Small Fee Code</th><th>Entity Fee (\$)</th><th>Fee Description</th><th>Fee Paid</th></tr></thead><tbody><tr><td>101</td><td>710</td><td>201</td><td>355</td><td>Utility filing fee</td><td>710.</td></tr><tr><td>106</td><td>320</td><td>206</td><td>160</td><td>Design filing fee</td><td></td></tr><tr><td>107</td><td>490</td><td>207</td><td>245</td><td>Plant filing fee</td><td></td></tr><tr><td>108</td><td>710</td><td>208</td><td>355</td><td>Reissue filing fee</td><td></td></tr><tr><td>114</td><td>150</td><td>214</td><td>75</td><td>Provisional filing fee</td><td></td></tr><tr><td colspan="5">SUBTOTAL (1)</td><td>\$ 710.00</td></tr></tbody></table>		Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid	101	710	201	355	Utility filing fee	710.	106	320	206	160	Design filing fee		107	490	207	245	Plant filing fee		108	710	208	355	Reissue filing fee		114	150	214	75	Provisional filing fee		SUBTOTAL (1)					\$ 710.00	<p>2. EXTRA CLAIM FEES</p> <table border="1"><thead><tr><th colspan="2">Extra Claims</th><th>Fee from below</th><th>Fee Paid</th></tr></thead><tbody><tr><td>Total Claims</td><td>40</td><td>-20**= 20</td><td>X 18 = 360</td></tr><tr><td>Independent Claims</td><td>12</td><td>- 3**= 9</td><td>X 80 = 720</td></tr><tr><td>Multiple Dependent</td><td></td><td></td><td></td></tr></tbody></table> <p>**or number previously paid, if greater, For Reissues, see below</p> <table border="1"><thead><tr><th>Large Fee Code</th><th>Entity Fee (\$)</th><th>Small Fee Code</th><th>Entity Fee (\$)</th><th>Fee Description</th></tr></thead><tbody><tr><td>103</td><td>18</td><td>203</td><td>9</td><td>Claims in excess of 20</td></tr><tr><td>102</td><td>80</td><td>202</td><td>40</td><td>Independent claims in excess of 3</td></tr><tr><td>104</td><td>270</td><td>204</td><td>135</td><td>Multiple dependent claim, if not paid</td></tr><tr><td>109</td><td>80</td><td>209</td><td>40</td><td>**Reissue independent claims over original patent</td></tr><tr><td>110</td><td>18</td><td>210</td><td>9</td><td>**Reissue claims in excess of 20 and over original patent</td></tr></tbody></table> <p>SUBTOTAL (2) (\$1080.00)</p>		Extra Claims		Fee from below	Fee Paid	Total Claims	40	-20**= 20	X 18 = 360	Independent Claims	12	- 3**= 9	X 80 = 720	Multiple Dependent				Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	103	18	203	9	Claims in excess of 20	102	80	202	40	Independent claims in excess of 3	104	270	204	135	Multiple dependent claim, if not paid	109	80	209	40	**Reissue independent claims over original patent	110	18	210	9	**Reissue claims in excess of 20 and over original patent																																																																																																		
Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid																																																																																																																																																																																								
101	710	201	355	Utility filing fee	710.																																																																																																																																																																																								
106	320	206	160	Design filing fee																																																																																																																																																																																									
107	490	207	245	Plant filing fee																																																																																																																																																																																									
108	710	208	355	Reissue filing fee																																																																																																																																																																																									
114	150	214	75	Provisional filing fee																																																																																																																																																																																									
SUBTOTAL (1)					\$ 710.00																																																																																																																																																																																								
Extra Claims		Fee from below	Fee Paid																																																																																																																																																																																										
Total Claims	40	-20**= 20	X 18 = 360																																																																																																																																																																																										
Independent Claims	12	- 3**= 9	X 80 = 720																																																																																																																																																																																										
Multiple Dependent																																																																																																																																																																																													
Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description																																																																																																																																																																																									
103	18	203	9	Claims in excess of 20																																																																																																																																																																																									
102	80	202	40	Independent claims in excess of 3																																																																																																																																																																																									
104	270	204	135	Multiple dependent claim, if not paid																																																																																																																																																																																									
109	80	209	40	**Reissue independent claims over original patent																																																																																																																																																																																									
110	18	210	9	**Reissue claims in excess of 20 and over original patent																																																																																																																																																																																									

SUBMITTED BY		Complete (if applicable)	
Typed or Printed Name	John P. Hohimer	Reg. Number	39,226
Signature		Deposit Account User ID	19-0131
Date	8/27/01		

Burden Hour Statement This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO Assistant Commissioner for Patents, Washington, DC 20231